

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MAHMOUD SAAD and ZIHRA SAAD,

Plaintiffs,

Case No. 10-cv-12635

v.

Honorable Patrick J. Duggan

MICHAEL KRAUSE, individually and in
his official capacity, CITY OF DEARBORN
HEIGHTS, DEARBORN HEIGHTS
POLICE DEPARTMENT, and JOHN
DOES 1-10,

Defendants.

ORDER

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on October 28, 2010.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Before the Court is Defendants' Motion for Partial Dismissal and Plaintiffs' Motion to Strike and to Permit Discovery. The Court has reviewed these Motions, and considered the arguments of counsel at a hearing held on October 26, 2010.

Plaintiffs have indicated that they do not object to the dismissal of the Dearborn Heights Police Department from this action if it is a redundant party. Because the City of Dearborn Heights is the true party in interest, the Court dismisses the Dearborn Heights Police Department from this action.

Plaintiffs agreed to dismiss their conspiracy-related claims (Counts Three and Seven), the Court having ruled that the alleged conspiracy of excessive ticket writing is irrelevant to Plaintiffs' asserted injuries. Plaintiffs' Motion to Permit Discovery must be denied for the same reason. Because Plaintiffs have agreed to dismiss these claims, Plaintiffs' Motion to Strike is moot.

Accordingly,

IT IS ORDERED that Defendants' Motion for Partial Dismissal is **GRANTED**, and Counts Three and Seven are **DISMISSED**.

IT IS FURTHER ORDERED that Plaintiffs' Motion to Strike and to Permit Discovery is **DENIED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Dated: October 28, 2010

Copies to:

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